S.B.CR MISC. BAIL APPLICATION NO.4447/2006
Date : 19.10.2006

HON'BLE MR. SATYA PRAKASH PATHAK,J.

Mr. Vipin Mankkad for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Taking into consideration the overall facts and circumstances of the present case and the fact that investigation is pending, I do not find it to be a fit case to extend benefit of bail to the applicant at this stage. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. is rejected. However, it is observed that the applicant shall be at liberty to move regular bail application before the learned trial court after filing of charge-sheet and after recording of statement of the prosecutrix, thereafter, in case the application for bail is moved by the applicant, then, the learned trial court shall decide the same in accordance with law.

(SATYA PRAKASH PATHAK), J.

vijayant